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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,270	12/11/2001	Arturo A. Rodriguez	A-7312	7025

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SCIENTIFIC-ATLANTA, INC.  
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EXAMINER

BUI, KIEU OANH T

ART UNIT	PAPER NUMBER
2611	3

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/015,270	RODRIGUEZ ET AL. 
	Examiner	Art Unit
	KIEU-OANH T BUI	2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-208 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-208 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 .	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### *Claim Objections*

1. Claims 177-182, and 191-192 are objected to because of the following informalities: claims 177-182 are dependent on claim 191, and claims 183-187 are dependent on claim 192, which serve an improper dependency on a later claims, the numbering of claims should be in order; see 37 CFR 1.75(c). Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --*

*(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purpose international application designated the United States and was published under Article 21(2) of such treaty in the English language.*

3. Claims 1-10, 13-29, 32-33, 35-36, 40-53, 63, 65-83, 87-118, 121-137, 139, 141-142, 146-152, 160, 162-178, 180, and 182-208 are rejected under 35 U.S.C. 102(e) as being anticipated by Arora (U.S. Patent Application Pub No. US 2003/0018972 A1/ or “Arora” hereinafter).

Regarding claims 1, 109 and 112, Arora discloses a method for providing television functionality (Fig. 2) comprising: defining a time period, i.e., a user can define his own period for television functionality (Fig. 2/item 232); associating a user preference with the time period, i.e., a set up menu is provided to user for defining his preference associate to this time period (Fig. 2); providing a first result in accordance with the user preference if a request for television functionality is received during the defined time period; and providing a second result if the

request for the television functionality is received outside the defined time period, i.e., a surf list or a customized list of programs as a first result is provided to user/viewer based on his inputs in the defined time period; otherwise, a second result such as a new surf list or disable operation can be imposed (see page 2, section 0017).

As for claims 2-3 and 113-114, Arora discloses “wherein the time period is defined based on user input”, and “wherein the user preference is determined based on viewing parameters associated with services that are provided to a user”, i.e, a menu is provided to the user to enter his preference for the defined time period and viewing parameters are collected associated with the service provided to the user (Fig. 2, and page 2, section 0017).

As for claims 4-5, 32 and 176, Arora discloses “wherein the viewing parameters associated with services correspond to interactive program guide (IPG) information”, i.e., viewing patterns associated with a program guide service such as a program guide server 125 (Fig. 1, and page 2, section 0013), and “wherein the IPG information is stored in a memory contained in a digital home communication terminal (DHCT)”, i.e, media processing system 120 is regarded as a digital home communication terminal because it is a cable decoder box which can include one or more components for HDTV for satellite signals (page 2, section 0015) and receives digital video or DVD signals (page 1, section 0013).

As for claim 6, Arora discloses “wherein the IPG information is received by the DHCT via a cable television network”-, i.e., cable television services is one of the sources provided to the digital home terminal 120 (page 1, section 0002).

As for claims 7-10 and 115-118, Arora discloses the steps of “wherein the user preference is determined based on a duration that a service characterized by a viewing parameter is presented to a user”; “wherein the user preference is determined based on a frequency that a service characterized by a viewing parameter is presented to a user”; “wherein the user preference is determined based on a duration and a frequency that a service characterized by a

viewing parameter is presented to a user”; and “wherein the user preference varies over time”, i.e., user preferences is determined based on a plurality of available attributes such as duration of service and/or the frequency of the service and the preference can be changed over times (Fig. 2, and page 2, section 0019; and page 3, sections 0020-0025 for more details on the duration of programs and/or the frequency of programs provided to users).

As for claims 13-16 and 121-124, Arora discloses “wherein the television functionality is disabled during the time period”; “wherein the television functionality is altered during the time period”; “wherein the television functionality is limited during the time period”; and “wherein the time period has an indefinite duration”, i.e., the user controls the setting of functionality of the television; therefore, the setting can be disabled to a particular period of time or indefinite if the user does not indicate the authentication period at all, disable operation will be imposed (page 2, section 0017).

As for claims 17-27 and 125-135, Arora discloses the steps of “where multiple time periods are defined for providing a result in accordance with the user preference”, i.e., a setting of 01/01/09 setting for multiple time periods (Fig. 2); “wherein the user preference is for a service”, i.e., television broadcast channels are requested for service (page 2, section 0019); “wherein the user preference conflicts with another user preference”, i.e., each user has his own ID for identifying different or conflicting preferences to others (Fig. 2/item 231; and page 3, section 0022); “wherein the time period is defined based on a time of day”, “wherein the time period is defined based on a day of a week”, “wherein the time period is defined based on a plurality of days of the week”, “wherein the time period is defined based on a month of a year”, “wherein the time period is defined based on a date”, “wherein the time period is defined based on a holiday”, “wherein the time period is defined based on a time of day and a day of a week” and “wherein the user preference is defined by a user”, i.e., a time period or a calendar date

and/or any time could be entered into an authentication filed 232 by the user according to his preference for defining a time period (Fig. 2/item 232, and page 4, section 0027).

As for claims 28-29 and 136-137, Arora discloses “wherein the user preference is determined based on tracking services that are provided by a digital home communication terminal”, i.e., the system can provide the service with the tracking services as viewing patterns can be recorded (page 6, section 0038) and “wherein the first result is only provided if a preference adaptive mode is activated”, i.e., if the user defines an authentication period or a preference adaptive mode, the first result is provided accordingly to the user’s preference (page 3, sections 0020-0025).

As for claims 33, 35 and 139, 141, in further view of claims 1 and 112 above, Arora further discloses “wherein the television functionality comprises a recording of a television service” and “wherein the first result comprises the recording of a television service”, i.e., a CD recorder is used for recording or storing television programs (page 2, section 018).

As for claims 36 and 142, Arora discloses “wherein the second result does not comprise recording of a television service”, i.e., a different result without suggesting recording of a television service is addressed (page 2, section 0017).

As for claims 40-44 and 146-149, Arora discloses these claims for “wherein the user preference and the time period are determined based on user input”, “wherein the user preference is determined based on user input”, “wherein the user input indicates a preference for a viewing parameter”, “wherein the user input indicates a preference against a viewing parameter” and “wherein the user input indicates a preference for a first viewing parameter and a preference against a second viewing parameter” (Fig. 2 and page 2, section 0016 to page 3, section 0022).

As for claims 45-53 and 150-152, these claims for “where a preference database is used to keep track of the user preference”, “wherein the preference tracking database keeps track of user preferences for a plurality of types of viewing parameters”, “wherein the preference

tracking database keeps track of user preferences in relation to a plurality of time periods”, “wherein the plurality of time periods comprise a recurring schedule”, “wherein the recurring schedule comprises daily time periods”, “wherein the recurring schedule comprises weekly time periods”, “wherein the recurring schedule comprises monthly time periods”, “wherein the recurring schedule comprises time periods corresponding to weekdays and weekend days”, and “wherein the recurring schedule comprises time periods corresponding to weekdays and weekend days, and holidays” are disclosed by Arora as Arora shows media processing system has a viewing pattern storage 130 as a database for storing preference parameters and recurring schedule as shown in Fig. 2 for repeating set up for preference channels/programs for a period of time in any calendar day of the year including weekdays or weekends or holidays (Fig. 1/item 130 & Fig.3, page 4, section 0027; and page 6, section 0038 to section 0043).

As for claims 63 and 160, in view of claim 1 above, Arora discloses “where data identifying the user preference is stored within a digital home communication terminal”, i.e., viewing pattern 130 belongs to media system 120, which can be a digital home terminal (Fig. 3 as a closer view of inside the viewing pattern 130, and page 2, section 0015).

As for claims 65-78 and 162-175, these claims for “wherein the user preference corresponds to at least one viewing parameter; wherein the viewing parameter is a television service; wherein the viewing parameter is a type of television service; wherein the viewing parameter is a television instance; wherein the television instance is a television program; wherein the viewing parameter is a type of television instance; where a look-up table is used to determine the user preference for a viewing parameter; where a look-up table is used to specify a restriction on information to be provided to a user during the time period; where a look-up table is used to specify a restriction on information to be provided to an application during the time period; where a look-up table is used to specify a restriction on a functionality of an application during the time period; where a look-up table is used to determine whether an application is

enabled during a time period; where a look-up table is used to determine a user preference for a plurality of viewing parameters; where a number of viewing parameters represented in a first look-up table entry is independent from a number of viewing parameters represented in a second look-up table entry; where a plurality of look-up tables are used to determine a user preference for a plurality of viewing parameters" are rejected for the reasons given as addressed in earlier claims regarding viewing parameters and television service or television instance taught by Arora, and wherein lookup tables can be found (as illustration in Fig. 4 for different lookup tables are used to determine a user preference for a plurality of viewing parameters).

As for claims 79-81 and 176, Arora discloses "wherein the television functionality comprises a presentation of an interactive program guide (IPG)"; "where information provided by the IPG is stored in memory in a digital home communication terminal (DHCT)" and "wherein the information provided by the IPG is received by the DHCT via a cable television network" (see claims 4-6 above).

As for claims 82-83 and 177-178, Arora further discloses the steps of "wherein the first result comprises an IPG that does not provide information corresponding to a time slot that is not in accordance with the user preference; wherein the second result comprises an IPG that provides information corresponding to the time slot that is not in accordance with the user preference", i.e., surf list 442 provides a result that is not according to user preference and surf list 441 provides a result that is according to the user preference (Fig. 4, and page 5, section 0035).

As for claims 87-95 and 182-189, these limitations are already addressed previously in earlier claims. (Repetitions are avoiding here).

As for claims 96-101 and 190-195, in view of claim 65 above, Arora discloses "wherein the television functionality comprises tuning to a user identified television service" and "wherein the additional input is a personal identification number (PIN)", i.e., a user ID is required for

identifying himself corresponding to his profile for receiving television service (Fig. 2/item 231, and page 4, section 0027).

As for claims 102-108 and 196-203, Arora discloses these claims for “wherein the television functionality comprises a presentation of a list of video recordings, wherein the first result comprises a presentation of an initial list of video recordings that lists at least one video recording that corresponds to the viewing parameter; wherein the initial list of video recordings lists a plurality of video recordings that correspond to the viewing parameter; wherein the initial list of video recordings does not list any video recordings that do not correspond to the viewing parameter; wherein the second result comprises an initial list of video recordings that lists at least one video recording that does not correspond to the viewing parameter; wherein the initial list of video recordings lists a plurality of video recordings that do not correspond to the viewing parameter; and wherein the initial list of video recordings does not list a video recording that corresponds to the viewing parameter”, i.e., surf list 442 provides a result which including channels or video recordings (page 1, sections 0012 & 0013 for a variety of sources) that is not according to user preference and surf list 441 provides a result that is according to the user preference (Fig. 4, and page 5, section 0035).

As for claims 110-111, in view of claim 109 above, Arora discloses “wherein the television service is not provided in response to user input requesting the television service” and “wherein the television service is a television channel”, i.e, if the user does not indicate any authentication period or date, the television service is not provided to the user, i.e., disable operation (page 2, section 0017).

As for claims 204-206, these claims for “a method for providing television functionality comprising: tracking a user preference over time; receiving a user request for television functionality; and providing a visual result that is responsive to the user request and to a user preference associated with a current time period; wherein the television functionality comprises

providing an interactive program guide; and wherein the television functionality comprises tuning to a television service” are rejected for the reasons given in the scope of claims 1, 4 and 6.

As for claim 207, this claim for “a method for providing an interactive program guide (IPG) comprising: defining a time period; associating a user preference with the time period; providing an initial IPG screen that lists a television service that is in accordance with the user preference if a request for an IPG is received during the defined time period; and providing an initial IPG screen that does not list a television service that is in accordance with the user preference if the request for the IPG is received outside the defined time period” is rejected in view of claims 1 and 82, 86-87.

As for claim 208, this claim for “a method for providing television functionality comprising: defining a time period; associating a user preference with the time period; providing a first result in accordance with the user preference if a request for television functionality is received during the defined time period; and providing a second result if the request for the television functionality is received outside the defined time period; where the user preference is determined based on a duration that a service characterized by a viewing parameter is presented to a user; where the user preference varies over time; where multiple time periods are defined for providing a result in accordance with the user preference; where the user preference is determined by tracking services that are provided by a digital home communication terminal; and where the first result is only provided if a preference-adaptive mode is activated” is rejected in view of claims 1, 4-5, and 19-29 as disclosed in details above.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.*

5. Claims 11-12 and 119-120 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arora (U.S. Patent Application Pub No. US 2003/0018972 A1).

Regarding claims 11-12 and 119-120, Arora does not show clearly the steps of “where a functionality of a remote control key is disabled during the time period” and “where a functionality of a remote control key is altered during the time period”; however, Arora does show that the user can define an authentication period or “void-by” date, and if the date is exceed, various actions can be occurred including the disable operation (page 2, section 0017); and the operation of a remote controller works accordingly with the main operating system, which is the home terminal 120 in this case. It means that if the user can set up a disable time period for his own, the remote control key function is altered and can be disable during the specified time period as imposed by the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Arora’s system with the steps of function altering or disabling the operation of a remote control key as to impose a restriction time for others to access the system as preferred. The motivation for doing this is to enhance the access security not to the television set itself but also to the remote control as well.

6. Claims 30-31, 34, 37-39, 60-62, 64, 84-86, 138, 140, 143-145, 159, 161, 179, and 181 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arora (U.S. Patent Application Pub No. US 2003/0018972 A1) in view of Ellis (US Patent No. 6,275,268 B1).

Regarding claims 30 and 138, Arora does not teach the step of “wherein the preference adaptive mode is activated via a switch located on a remote control device”; however, Ellis teaches an exact same technique as “Viewer preferences” mode can be activated by using a switch or key on a remote control device or a preference customized key 48A, 48B and 48C for different users (Ellis, Fig. 4, and col. 11/line 59 to col. 12/line 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Arora’s system with Ellis’ teaching technique of using different keys designated on a remote control for switching to different Preference mode according to different users as preferred. The motivation for doing this is to have a quick access to pre-set and customized viewing programs according to different users as desired.

As for claim 31, Arora does not teach: “wherein the television functionality comprises a purchase of a television service”, but Ellis further teaches “wherein the television functionality comprises a purchase of a television service”, i.e., a remote purchase of a television service is provided by Ellis’ system (Fig. 43A-43B-43C-43D-43E & 44), and col. 33/line 43 to col. 34/line 46). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Arora’s system with Ellis’ enhanced technique of offering product and service via television broadcast as a convenient tool to shop or purchase products and/or services at home as suggested by Ellis.

As for claims 34 and 140, in further view of claim 30 above, Ellis teaches “wherein the request for the television functionality is provided by activating a record key on a remote control device while a service in an interactive program guide is highlighted” (col. 11/line 59 to col. 12/line 30 for operation of the remote controller and col. 33/lines 32-41 for recording a program using an interactive program guide).

As for claims 37-39 and 143-145, in further view of claim 31 above, Ellis further teaches “wherein the television functionality comprises implementing a sales transaction”, “wherein the first result comprises an implementation of the sales transaction”, and “wherein the second result does not comprise an implementation of the sales transaction”, i.e., sales transaction is offered but other service is also available such as interactive TV, E-mails and so on in addition to PPV services and/or sales services (Fig. 16, col. 3/line 50 to col. 4/line 67).

As for claims 60-62, 64, 159 and 161, Arora has a storage for the data identifying user preference (Fig. 1/at 130), but Arora does show: “where data identifying the user preference is stored in non-volatile memory”, “where data identifying the user preference is stored in volatile memory and in non-volatile memory” and “wherein the non-volatile memory is located at a headend”; however, Ellis teaches an exact same technique as where data identifying the user preference is stored in volatile memory, i.e., erasable such as in ROM or RAM after shutting off power, and in non-volatile memory, i.e., non-erasable after shutting off power (Ellis, col. 9/lines 7-21 & col. 9/line 50 to col. 10/line 4) and the components including a non-volatile memory can be placed at a network facility such as a headend (Ellis, col. 8/lines 22-31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Arora’s system with Ellis’s teaching technique of including a volatile memory and a non-volatile memory, at a headend, as means for storing user preferences.

As for claims 84-86 and 179-181, Arora does not teach the blocking technique, but Ellis teach an exact same technique in blocking “wherein the first result comprises an IPG that does not provide information corresponding to a television service that is blocked during the time period; wherein the second result comprises an IPG that provides information corresponding to a television service that is blocked during the time period; wherein the first result comprises an IPG that is configured in accordance with the user preference” (Ellis, Figs. 30, 39, 40 for blocking out a program and access codes, and col. 22/line 21 to col. 24/line 16 for more details on blocking according to the user preference). Therefore, it would have been obvious to one of ordinary skill in the art to modify Arora’s system with Ellis’s technique in blocking as an additional tool in control television accesses at a certain times for a certain programs/channels as preferred by the user/viewer.

7. Claims 54-57 and 153-156 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arora (U.S. Patent Application Pub No. US 2003/0018972 A1) in view of Wang et al (US Patent Application Pub No. US 2002/0188947 A1/ or “Wang” hereinafter).

Regarding claims 54 and 153, Arora discloses to assign a priority value to viewing parameter (page 6, sections 0043 & 0044), but Arora does not teach “wherein the user preference is tracked by assigning a score to a viewing parameter”; however, such a technique to assign a score or a weight value to a viewing parameter is known in the art. In fact, Wang discloses an exact same technique in maintaining user preference profile in an EPG system by assigning characteristics weights to viewing attributes of users in order to create a suggested list of programs to users/viewers (Figs. 1-3, page 2, sections 0041 & 0042, and page 3, section 0047). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Arora’s technique of assigning priority with a specific technique in assigning score or weight value to viewing parameters in order to provide a suggested list of preferred programs to users as suggested by Wang.

As for claims 55-57 and 154-156, in further view of claims 54 and 153 above, Wang teaches “wherein the score for a viewing parameter may be based on a weighted linear combination of scores associated with the viewing parameter”, “wherein the score for a plurality of viewing parameters may be based on a weighted linear combination of scores associated with the plurality of viewing parameter”, and “wherein the score for a viewing parameter changes over time”, i.e., those scores or weight values are associated to viewing parameters and it can be changed over time as the viewer/user can revise and define them (Wang, pages 2-3, Fig. 3, and sections 0041-0047).

8. Claims 58 and 157 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arora (U.S. Patent Application Pub No. US 2003/0018972 A1) in view of Wang et al (US Patent Application Pub No. US 2002/0188947 A1) and Asmussen et al (US Patent Application Pub US 2002/ 0042923 A1).

As for claims 58 and 157, Arora and Wang do not teach the process of “wherein the score for a viewing parameter is revised using statistical analysis”; however, Asmussen shows the issue of analyzing user preferences and provides a history report of the process is called for using statistical analysis (Asmussen, page 9, section 0078). Therefore, it is obvious to one of ordinary skill in the art to realize that by modifying Arora and Wang’s system with a statistical analysis as Asmussen suggested, one can obtain a user analysis report for user’s activities for a period of time in order to better provide a suggested list of programs suitable to the user’s preference.

9. Claims 59 and 158 rejected under 35 U.S.C. 103(a) as being unpatentable over Arora (U.S. Patent Application Pub No. US 2003/0018972 A1) in view of Wang et al (US Patent Application Pub No. US 2002/0188947 A1) and Klosterman et al (US Patent 6,078,348).

As for claims 59 and 158, in further view of claim 54 above, Arora and Wang do not show the process of determining viewing parameter as “wherein the score for a viewing parameter is determined using an artificial intelligence technology”; however, the Examiner takes Official Notice that any television program guide system that can has a capability of tracking or monitoring the user’s viewing habits must include an artificial intelligence technology therein, i.e., using by software. In further to support this statement, the Examiner would like to point out to Klosterman’s disclosure (see col. 1/lines 50-57). Therefore, it would have been obvious to realize that with the disclosure of Klosterman, the Arora and Wang’s system must be understood to further include or use an artificial intelligence technology in order to track user’s viewing habits, then later to provide a suggested list of programs to users based on users’s preference.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ellis (US Pat. No.2002/0059610 A1) discloses an interactive television application with watch lists.

Shteyn (US Pat. No.2002/0133821 A1) discloses an activity schedule controls personalized electronic content guide.

Devara (US Pat. No.2002/0129367 A1) discloses a method and apparatus for personalized presentation of television/Internet content.

Gogoi et al. (US Pat. No.2002/0199193 A1) disclose a system and method for generating and managing user preference information for scheduled and stored television programs.

Saito et al. (US Pat. No.2002/0157094 A1) disclose a method and apparatus for controlling display.

Barrett et al. (US Pat. No.6,005,597) disclose a method and apparatus for program selection.

**11. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for Technology Center 2600 only)

*Hand-delivered responses should be brought to Crystal Park 99, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).*

**12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM, with alternate Fridays off.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Krista Bui  
Art Unit 2611  
April 07, 2003

  
ANDREW FAILE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600